

E-FILED on 2/14/07

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MEMRY CORPORATION,

Plaintiff,

v.

KENTUCKY OIL TECHNOLOGY, N.V.,
PETER BESSELINK, MEMORY METALS
HOLLAND, B.V.,

Defendants.

No. C-04-03843 RMW

CLARIFICATION TO ORDER GRANTING
KENTUCKY OIL'S MOTION TO
CONTINUE HEARING ON SEVEN
MOTIONS FOR PARTIAL SUMMARY
JUDGMENT

[Re Docket No. 368]

KENTUCKY OIL TECHNOLOGY, N.V.,

Counterclaimant,

v.

MEMRY CORPORATION and
SCHLUMBERGER TECHNOLOGY
CORPORATION,

Counterdefendants.

Defendant and counterclaimant Kentucky Oil Technology, N.V. ("KOT") previously asked this court to continue by two weeks the March 2, 2007, hearing date on the seven motions for partial summary judgment filed by plaintiff and counterdefendant Memry Corporation ("Memry") and

1 counterdefendant Schlumberger Technology Corporation ("STC"). The court granted KOT's motion,
2 but it would appear that KOT was unable to take advantage of the extended deadline for filing its
3 opposition.

4 Accordingly, the court clarifies its order as follows: STC and Memry's reply briefing shall be
5 filed by Tuesday, March 20, 2007. The order otherwise remains unchanged. The hearing on the
6 motions shall remain scheduled for Friday, March 23, 2007 at 9:00 a.m. and the Pre-Trial Conference
7 and Trial dates shall be as scheduled in this court's prior order.

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10 DATED: 2/14/07



11 RONALD M. WHYTE
12 United States District Judge
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12 **Dated:** 2/14/07 /s/ MAG
13 **Chambers of Judge Whyte**